

Office of the  
Legislative Fiscal Analyst

## **FY 2002 Budget Recommendations**

Joint Appropriations Subcommittee for  
Executive Offices and Criminal Justice

**Commission on Criminal and Juvenile Justice**

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## 1.0 Utah Commission on Criminal and Juvenile Justice

The Utah Commission on Criminal and Juvenile Justice was created by the 1983 Legislature. This Commission reports directly to the Governor. It is designed to promote philosophical agreement concerning the objectives of the criminal and juvenile justice system in Utah and to provide a mechanism for coordinating the functions of the various branches and levels of government concerned with criminal and juvenile justice. They also help coordinate state wide efforts to reduce crime and victimization in Utah.

	<b>Analyst FY 2002 Base</b>	<b>Analyst FY 2002 Changes</b>	<b>Analyst FY 2002 Total</b>
<b>Financing</b>			
General Fund	1,585,600		1,585,600
Federal Funds	14,699,800		14,699,800
Dedicated Credits Revenue	65,000		65,000
Crime Victims Reparation Trust	719,800	49,700	769,500
<b>Total</b>	<b>\$17,070,200</b>	<b>\$49,700</b>	<b>\$17,119,900</b>
<b>Programs</b>			
CCJJ Commission	11,643,200		11,643,200
Crime Victim Reparations	4,434,700	49,700	4,484,400
Extraditions	244,400		244,400
Substance Abuse and Anti-violence	252,300		252,300
Sentencing Commission	200,600		200,600
Crime Prevention Grant	295,000		295,000
<b>Total</b>	<b>\$17,070,200</b>	<b>\$49,700</b>	<b>\$17,119,900</b>
<b>FTE/Other</b>			
Total FTE	30		30

## **2.0 Issues: Commission on Criminal and Juvenile Justice**

### **2.1 Extraditions Program**

Additional prisoner extraditions coupled with a cut in travel budget last year has put funding pressure on the extraditions program. If additional funding becomes available the Analyst recommends increased funding in FY 2002 by \$50,000 and providing a supplemental appropriation of \$36,000 in FY 2001.

### **2.2 Crime Victims Reparation Officer and Rent Increase**

The Analyst recommends funding for a Crime Victims Reparation Officer from the Crime Victims Reparation Trust Fund in the amount of \$45,600. The Analyst also recommends funding a rent increase in the amount of \$4,100.

### **2.3 Nonlapsing Intent Language**

*It is the intent of the Legislature that funding for the Commission on Criminal and Juvenile Justice be nonlapsing.*

### 3.1 Commission on Criminal and Juvenile Justice

#### Recommendation

The Analyst recommends \$11,643,200 for the Commission. Federal fund levels in FY 2002 are somewhat less than FY 2001 levels. Federal funds in this budget are passed through to other state and local agencies in the form of transfers. In addition the Commission has established a trust account to implement the new Juvenile Justice Accountability Block Grant. Approximately \$2,800,000 is deposited into this trust account each fiscal year to assist with juvenile justice.

	2000	2001	2002	Est/Analyst
<b>Financing</b>	<b>Actual</b>	<b>Estimated</b>	<b>Analyst</b>	<b>Difference</b>
General Fund	765,200	637,700	638,300	600
General Fund, One-time		(3,600)		3,600
Federal Funds	16,440,500	12,555,000	11,004,900	(1,550,100)
Beginning Nonlapsing	168,300	204,400		(204,400)
Closing Nonlapsing	(205,700)			
<b>Total</b>	<b>\$17,168,300</b>	<b>\$13,393,500</b>	<b>\$11,643,200</b>	<b>(\$1,750,300)</b>
<b>Expenditures</b>				
Personal Services	666,900	686,600	684,700	(1,900)
In-State Travel	18,100	16,600	16,600	
Out of State Travel	23,000	21,100	21,100	
Current Expense	109,000	162,300	89,900	(72,400)
DP Current Expense	48,000	53,800	38,000	(15,800)
DP Capital Outlay		30,000		(30,000)
Other Charges/Pass Thru	16,303,300	12,423,100	10,792,900	(1,630,200)
<b>Total</b>	<b>\$17,168,300</b>	<b>\$13,393,500</b>	<b>\$11,643,200</b>	<b>(\$1,750,300)</b>
<b>FTE/Other</b>				
Total FTE	12	10	10	

#### Purpose

The Utah Commission on Criminal and Juvenile Justice was created by the 1983 Legislature. This Commission reports directly to the Governor. It is designed to promote philosophical agreement concerning the objectives of the criminal and juvenile justice system in Utah and to provide a mechanism for coordinating the functions of the various branches and levels of government concerned with criminal and juvenile justice. They also help coordinate state wide efforts to reduce crime and victimization in Utah.

CCJJ has four standing subcommittees: the IT Subcommittee, the Utah Council of Victims of Crime, Juvenile Justice, and Cross Education Between Justice System and Mental Retardation.

#### Federal Drug Funds

In response to the Anti-drug Abuse Act of 1986, the Governor designated the Commission on Criminal and Juvenile Justice as the Utah Agency responsible for coordinating and administering the Edward Byrne Memorial Drug Control and System Improvement Formula Grant Program. Utah's funding allocations for the past 10 years follow:

<b>Year</b>	<b>Amount</b>
1991	\$3,297,000
1992	\$3,530,000
1993	\$3,546,000
1994	\$3,580,000
1995	\$3,160,000
1996	\$3,913,800
1997	\$4,165,000
1998	\$4,376,000
1999	\$4,491,000
2000	\$4,484,400

### 3.2 Substance Abuse and Anti-Violence

**Recommendation** The Analyst recommends \$252,300 for Substance Abuse and Anti-Violence.

	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>Est/Analyst</b>
<b>Financing</b>	<b>Actual</b>	<b>Estimated</b>	<b>Analyst</b>	<b>Difference</b>
General Fund	221,800	255,400	252,300	(3,100)
General Fund, One-time		(600)		600
Closing Nonlapsing	(9,700)			
<b>Total</b>	<b>\$212,100</b>	<b>\$254,800</b>	<b>\$252,300</b>	<b>(\$2,500)</b>
<b>Expenditures</b>				
Personal Services	103,300	144,500	142,000	(2,500)
In-State Travel	1,300	1,300	1,300	
Current Expense	9,200	8,000	8,000	
DP Current Expense	1,100	1,000	1,000	
Other Charges/Pass Thru	97,200	100,000	100,000	
<b>Total</b>	<b>\$212,100</b>	<b>\$254,800</b>	<b>\$252,300</b>	<b>(\$2,500)</b>
<b>FTE/Other</b>				
Total FTE	2	3	3	

#### Purpose

The Utah Substance Abuse and Anti-Violence Coordinating Council was established by the 1990 Utah Legislature. The Council consists of a 26 member executive body and four committees targeting justice, judiciary, prevention, and treatment. The mission of the USAAV Coordinating Council is to provide a unified voice for the establishment of a comprehensive strategy to combat substance abuse, illegal drug activity and violence.

The Legislature provided an initial \$500,000 for gang suppression in the Supplemental Appropriations Act of 1993 (Senate Bill 212, item 3). This was augmented by an additional \$ 100,000 in the 2<sup>nd</sup> Special Session (House Bill 13, item 2). These funds were to be used to promote local gang suppression activities throughout the state.

#### Performance Measures

The Gang Suppression and Community Coordination Grant Program awarded \$80,000 in grants to two programs. Two additional programs were funded through the Utah Crime Prevention Grant.

### 3.3 Sentencing Commission

**Recommendation**      The Analyst recommends \$200,600 for the Sentencing Commission.

	2000 Actual	2001 Estimated	2002 Analyst	Est/Analyst Difference
<b>Financing</b>				
General Fund	239,100	218,400	200,600	(17,800)
General Fund, One-time		(1,500)		1,500
Closing Nonlapsing	(6,700)			
<b>Total</b>	<u>\$232,400</u>	<u>\$216,900</u>	<u>\$200,600</u>	<u>(\$16,300)</u>
<b>Expenditures</b>				
Personal Services	221,800	190,700	190,100	(600)
In-State Travel	1,700	1,700	1,700	
Out of State Travel	800	800	800	
Current Expense	6,200	21,800	6,100	(15,700)
DP Current Expense	1,900	1,900	1,900	
<b>Total</b>	<u>\$232,400</u>	<u>\$216,900</u>	<u>\$200,600</u>	<u>(\$16,300)</u>
<b>FTE/Other</b>				
Total FTE	3	3	3	

#### Purpose

The Sentencing Commission was created by the Legislature in the 1993 General Session (Senate Bill 127) with the following purpose:

“The purpose of the commission shall be to develop guidelines and propose recommendations to the Legislature, the governor, and the Judicial Council about the sentencing and release of juvenile and adult offenders in order to:

1. respond to public comment;
2. relate sentencing practices and correctional resources;
3. increase equity in criminal sentencing;
4. better define responsibility in criminal sentencing
5. enhance the discretion of sentencing judges while preserving the role of the Board of Pardons and Parole and the Youth Parole Authority.”

The Commission was funded at \$225,000 (House Bill 337) for the first year of operations. House Bill 30, 1994 General Session added members to the Commission and the responsibility to review juvenile sentencing. The composition of the Commission at this time is 27 members.

Current Sentencing Commission Subcommittee’s include the following:

- Sentencing Guidelines Revision
- Standardization Subcommittee
- Intermediate Sanctions
- Juvenile Justice
- Others as needed

### 3.4 Crime Victims Reparations

#### Recommendation

The Analyst recommends \$4,484,400 for Crime Victims Reparations. This includes funding for a crime victims reparation officer and a rent increase.

	2000	2001	2002	Est/Analyst
<b>Financing</b>	<b>Actual</b>	<b>Estimated</b>	<b>Analyst</b>	<b>Difference</b>
Federal Funds	3,220,400	3,601,600	3,694,900	93,300
Dedicated Credits Revenue	20,300	20,000	20,000	
Crime Victims Reparation Trust	711,000	734,200	769,500	35,300
Beginning Nonlapsing	107,600	90,400		(90,400)
Closing Nonlapsing	(90,400)			
<b>Total</b>	<b>\$3,968,900</b>	<b>\$4,446,200</b>	<b>\$4,484,400</b>	<b>\$38,200</b>
<b>Expenditures</b>				
Personal Services	614,800	646,100	680,900	34,800
In-State Travel	1,500	1,500	1,500	
Out of State Travel	10,900	10,900	10,900	
Current Expense	143,500	152,000	151,600	(400)
DP Current Expense	56,800	56,800	56,800	
DP Capital Outlay		18,700		(18,700)
Capital Outlay		71,700		(71,700)
Other Charges/Pass Thru	3,141,400	3,488,500	3,582,700	94,200
<b>Total</b>	<b>\$3,968,900</b>	<b>\$4,446,200</b>	<b>\$4,484,400</b>	<b>\$38,200</b>
<b>FTE/Other</b>				
Total FTE	14	14	14	

#### Purpose

The Crime Victim Reparations Program was created in 1986 to help compensate victims of violent crime. Approximately \$61.6 million dollars have been awarded through compensations and victim services grants during this time period. The Office of Crime Victim Reparations provides compensation to victims of violent crime and administers and monitors Victim of Crime Act Compensation and Assistance grants.

The Office is responsible for administering the Crime Victim Reparations Trust Fund under guidelines established both by Statute and the Crime Victim Reparations Board.

No state tax dollars are used to fund the Crime Victim Reparation Program. Expenditures from the Trust Fund may include reparations for victims, funding for other victim services, and administrative costs for the Crime Victim Reparation office as appropriated by the Legislature.

The Victim of Crime Act (VOCA) provides for imposed costs to be levied on offenders of federal crimes. State compensation programs that comply with the Victims of Crime Act Guidelines are eligible to receive up to 40 percent of all awards made to victims during the federal fiscal year.

#### Performance Measures

The CVR administered \$3,220,400 in victim assistance funding from the Department of Justice Office for Victims of Crime in FY 2000.



### 3.5 Extraditions

#### Recommendation

The Analyst recommends \$244,400 for Extraditions. If additional funding becomes available the Analyst would recommend a \$36,000 supplemental and a \$50,000 ongoing appropriation.

	2000	2001	2002	Est/Analyst
<b>Financing</b>	<b>Actual</b>	<b>Estimated</b>	<b>Analyst</b>	<b>Difference</b>
General Fund	216,500	199,400	199,400	
General Fund, One-time		(100)		100
Dedicated Credits Revenue	44,600	45,000	45,000	
Closing Nonlapsing	17,700			
<b>Total</b>	<b>\$278,800</b>	<b>\$244,300</b>	<b>\$244,400</b>	<b>\$100</b>
<b>Expenditures</b>				
Personal Services	13,800	23,000	23,100	100
Out of State Travel	263,800	220,100	220,100	
Current Expense	1,200	1,200	1,200	
<b>Total</b>	<b>\$278,800</b>	<b>\$244,300</b>	<b>\$244,400</b>	<b>\$100</b>
<b>FTE/Other</b>				
Total FTE	1	1	1	

#### Purpose

This program is responsible for paying the travel related costs of prisoner extraditions from other states and countries to Utah. Such payments are authorized under the Utah Code and typically include travel, lodging, and meals for the officers and the prisoner. The officer's salaries are paid by the jurisdiction requesting the extradition.

### 3.6 Crime Prevention Grants

**Recommendation**      The Analyst recommends \$295,000 for Crime Prevention Grants.

	<b>2000 Actual</b>	<b>2001 Estimated</b>	<b>2002 Analyst</b>	<b>Est/Analyst Difference</b>
<b>Financing</b>				
General Fund	295,000	295,000	295,000	
Beginning Nonlapsing		40,300		(40,300)
Closing Nonlapsing	(40,300)			
<b>Total</b>	<u>\$254,700</u>	<u>\$335,300</u>	<u>\$295,000</u>	<u>(\$40,300)</u>
<b>Expenditures</b>				
Other Charges/Pass Thru	254,700	335,300	295,000	(40,300)
<b>Total</b>	<u>\$254,700</u>	<u>\$335,300</u>	<u>\$295,000</u>	<u>(\$40,300)</u>

**Purpose**      The Utah Legislature established the Utah Crime Prevention Grant program with a \$295,000 appropriation in FY 2001. Nine programs were funded, ranging from child abuse prevention training to youth mentoring.

**4.0 Additional Information: Commission on Criminal and Juvenile Justice****4.1 Funding History**

	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>
<b>Financing</b>	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Estimated</b>	<b>Analyst</b>
General Fund	1,382,500	1,266,000	1,737,600	1,605,900	1,585,600
General Fund, One-time				(5,800)	
Federal Funds	9,572,200	10,477,400	19,660,900	16,156,600	14,699,800
Dedicated Credits Revenue	61,800	78,900	64,900	65,000	65,000
Crime Victims Reparation Trust	643,900	690,100	711,000	734,200	769,500
Beginning Nonlapsing	286,000	232,300	275,900	335,100	
Closing Nonlapsing	(232,300)	(275,900)	(335,100)		
Lapsing Balance		(22,900)			
<b>Total</b>	<b>\$11,714,100</b>	<b>\$12,445,900</b>	<b>\$22,115,200</b>	<b>\$18,891,000</b>	<b>\$17,119,900</b>
<b>Programs</b>					
CCJJ Commission	7,694,500	7,970,300	17,168,300	13,393,500	11,643,200
Crime Victim Reparations	3,221,800	3,779,200	3,968,900	4,446,200	4,484,400
Extraditions	247,500	242,400	278,800	244,300	244,400
Substance Abuse and Anti-violence	197,900	246,100	212,100	254,800	252,300
Sentencing Commission	207,700	207,900	232,400	216,900	200,600
Crime Prevention Grant	144,700		254,700	335,300	295,000
<b>Total</b>	<b>\$11,714,100</b>	<b>\$12,445,900</b>	<b>\$22,115,200</b>	<b>\$18,891,000</b>	<b>\$17,119,900</b>
<b>Expenditures</b>					
Personal Services	1,343,800	1,541,300	1,620,600	1,690,900	1,720,800
In-State Travel	12,300	18,700	22,600	21,100	21,100
Out of State Travel	265,200	259,400	298,500	252,900	252,900
Current Expense	261,600	250,300	269,100	345,300	256,800
DP Current Expense	128,800	44,300	107,800	113,500	97,700
DP Capital Outlay	5,100			48,700	
Capital Outlay	11,100			71,700	
Other Charges/Pass Thru	9,686,200	10,331,900	19,796,600	16,346,900	14,770,600
<b>Total</b>	<b>\$11,714,100</b>	<b>\$12,445,900</b>	<b>\$22,115,200</b>	<b>\$18,891,000</b>	<b>\$17,119,900</b>
<b>FTE/Other</b>					
Total FTE	29	28	31	30	30

**4.2 Federal Funds**

<b>Source Program</b>	<b>FY 2000 Actual</b>	<b>FY 2001 Estimated</b>	<b>FY 2002 Analyst</b>
Department of Justice Juvenile Justice (3030)	\$1,164,900	\$1,329,000	\$1,329,000
Department of Justice Drug Control Grants (3029)	4,353,600	4,493,800	4,500,000
Department of Justice Justice Statistics (3032)	768,900	723,000	723,000
Department of Justice Violence Against Women (3034)	1,312,800	1,519,600	1,536,600
Department of Justice Miscellaneous (3036)	916,000	864,200	457,700
Department of Justice Victim Assistance (3031)	1,907,600	2,082,000	2,159,200
Department of Justice VOITIS (3035)	9,237,100	5,145,000	4,000,000
<b>Total</b>	<b>\$19,660,900</b>	<b>\$16,156,600</b>	<b>\$14,705,500</b>